

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
IN THE WACO DIVISION**

**RYAN LAMBERT,  
an individual,**

**PLAINTIFF,**

**v.**

**HEAVEN SENT PIZZA LLC,  
a limited liability company,**

**DEFENDANT.**

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**\* Case No. 6:22-cv-00577**

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**MOTION TO VACATE CLERK'S ENTRY OF DEFAULT**

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Comes now RYAN LAMBERT, plaintiff, and hereby requests that the Clerks Entry of Default against the defendant, HEAVEN SENT PIZZA, LLC., be vacated. Counsel for Heaven Sent Pizza, LLC has reached out to Plaintiff's Counsel and advised that the manager served in this case was not an agent or representative of Heaven Sent Pizza, LLC. Counsel for Defendant has agreed to accept service on behalf of her client and the two parties are working towards a timely resolution and are optimistic that one can be reached quickly.

Respectfully submitted,

By: /s/ K. Michael Sturgill

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**COUNSEL FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing has been sent to the Service List via email on the 23<sup>rd</sup> of January, 2023.

*/s/ K. Michael Sturgill*

**SERVICE LIST:**

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